

United States District Court
for
Middle District of Tennessee

Report on Offender Under Supervision

Name of Offender: Richard Kevin Michael

Case Number: 3:09-00271

Name of Judicial Officer: R. David Proctor, U.S. District Judge of the Northern District of Alabama,
transferred to Aleta A. Trauger, U. S. District Judge of the Middle District of Tennessee

Date of Original Sentence: September 18, 2008

Original Offense: False Communication of Consumer Product Information

Original Sentence: 12 months' and 1 day custody; 3 years' supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: October 16, 2009

Assistant U.S. Attorney: (Not assigned)

Defense Attorney: (Not assigned)

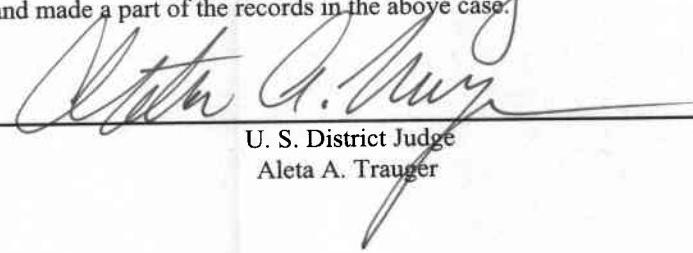
THE COURT ORDERS:



No Action

- Submit a Petition for Summons
- Submit a Petition for Warrant
- Other

Considered this 23rd day of July, 2012,
and made a part of the records in the above case.


U. S. District Judge
Aleta A. Trauger

I declare under penalty of perjury that the foregoing is true and correct. Respectfully submitted,


U.S. Probation Officer
Karen L. Webb

Place: Columbia, Tennessee

Date: July 11, 2012

Mr. Michael was sentenced in the Northern District of Alabama on September 18, 2008. Mr. Michael has been supervised in the Middle District of Tennessee since he began supervision. Jurisdiction of his case was transferred on November 18, 2009. He is scheduled to complete supervised release on October 15, 2012. Mr. Michael has incurred no violations while on supervision. He has paid restitution to the best of his ability thus far. Mr. Michael and his wife have separated on prior occasions during the course of his supervision.

On July 4, 2012, the Columbia Police Department was dispatched to Mr. Michael's residence for a domestic disturbance. Tonia Michael, the defendant's wife, stated to the police that the defendant woke up and for no reason, began yelling and screaming at her. She then stated that he drug her into the bedroom and threw her onto the bed, held her down, and put his hands around her neck and attempted to strangle her while also putting his hands over her mouth at keep her from yelling and screaming for help. She advised that Mr. Michael was most likely angry at her because he abuses his medication for his anxiety disorder.

The police spoke with Mr. Michael and he confirmed that he and his wife did have an argument, but stated that no assault occurred. He reported that he does take prescribed anxiety medication, but Mrs. Michael usually hides them from him. He also stated that his wife is prescribed medication for anxiety, anti-depression, and a bi-polar disorder, but she does not take her medications. Mr. Michael noted that his wife was upset for some reason, and she began to argue with him. He stated that she cursed at him, but there was no physical altercation between them.

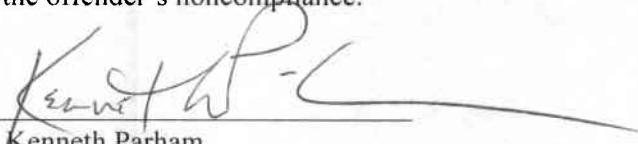
The police report indicates that there was no sign of physical injury to Mrs. Michael, and there was no evidence to support an assault occurred. Mrs. Michael gathered some of her belongings from the residence and went to her parents' home in Lawrenceburg, Tennessee.

The officer was contacted by Mrs. Michael on July 4, 2012, and advised that the defendant held her down and covered her mouth where she could not breathe and she called the police as a result. This officer met with Mr. Michael at his residence on July 5, 2012, to discuss the domestic disturbance the day before. He stated that his wife had kicked him and he pushed her off of him and she fell back on the bed. Mr. Michael's is prescribed Clonazepam by his psychiatrist to treat his anxiety. This officer counted his Clonazepam pills and he had an appropriate amount remaining given his prescription. Mr. Michael receives mental health counseling and medication monitoring at the Guidance Center in Franklin. He is currently working at Nissan of Cool Springs in Franklin. Mr. and Mrs. Michael remain separated at this time.

U.S. Probation Officer Recommendation:

At this time, the probation officer is requesting that no additional action be taken by the Court. It is recommended Mr. Michael be continued on supervised release. The U. S. Attorney's Office has been advised of the offender's noncompliance.

Approved:



Kenneth Parham

Supervisory U.S. Probation Officer